

**CITY OF MILPITAS PLANNING COMMISSION  
AGENDA FOR FEBRUARY 11, 2009  
CITY HALL COUNCIL CHAMBERS 7:00 P.M.  
455 E. CALAVERAS BLVD., MILPITAS, CA 95035  
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

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- IV. APPROVAL OF MINUTES:** January 28, 2009
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk \*)**

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The consent calendar items are considered to be routine and will be considered with one public hearing and adopted by one motion. There will be no separate discussion of these items unless a member of the Planning Commission, member of the audience, or staff requests the Planning Commission to have an item removed from or added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

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**IX. PRESENTATIONS**

**UPDATE ON THE APTON PLAZA PROJECT:** The Planning Commission request an update on the Apton Plaza project located at North Main Street at Weller which staff will provide at the meeting. Staff Contact: James Lindsay (408) 586-3273.

**X. PUBLIC HEARING**

- 1. CONDITIONAL USE PERMIT NO. UP08-0042 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. ES08-0006:** A request to operate a certified Farmers' Market within the Great Mall parking lot located at 1100 S Main Street. The market's proposed hours of operation are for Sundays from 8:00 a.m. until 1:00 p.m. during the months of April until the first Sunday prior to Thanksgiving. (APN: 086-24-060), zoned General Commercial with Site and Architectural Overlay (C2-S). Applicant: Chang B. Yang. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2559. *(Recommendation: Adopt Resolution No. 09-009 approving the project subject to conditions of approval.)*
- 2. CONDITIONAL USE PERMIT NO. UP08-0036 AND ENVIRONMENTAL ASSESSMENT NO. EA08-0010:** A request to locate a new 2,900 square foot religious facility within an R&D building in the Venture Commerce Center Business Park located at 1160 Cadillac Court. (APN: 022-38-025), zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Siddhi Vinayaka Cultural Center. Staff Contact: Tiffany Brown (408) 586-3283. PJ # 2552. *(Recommendation: Adopt Resolution No. 09-003 approving the project subject to*

*conditions of approval.)*

- \*3. ZONING AMENDMENT NO. ZA08-0011:** An amendment to Chapter 30 of the Zoning Ordinance for the purpose of providing clarity to regulations for signs and streamlining the process for reviewing sign proposals. In addition, the amendment includes new provisions for Freeway Message Centers (Electronic Message Signs) for the purpose of providing new development standards for those types of signs. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. *(Recommendation: Open the public hearing and continue the item to the March 11<sup>th</sup> meeting.)*
- \*4. SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0030:** A request to amend the sign program and add a monument sign for Liberty Plaza located at 1200 S Abel Street. (APN: 086-16-099), zoned General Commercial with Site and Architectural and Transit Oriented Development Overlays and is located within the Midtown Specific Plan (C2-S-TOD). Applicant: David Gale. Staff Contact: Tiffany Brown (408) 586-3283. *(Recommendation: Adopt Resolution No. 09-012 approving the project subject to conditions of approval.)*
- \*5. MAJOR TENTATIVE MAP NO. MT08-0001, SITE DEVELOPMENT PERMIT NO. SZ07-0002, CONDITIONAL USE PERMIT NO. UP08-0045, AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA08-0004:** A request to further develop an existing office campus by adding 424,814 square feet of new office space in six, five story buildings and constructing an elevated parking deck. When built out, the total square footage of the campus would be 1,415,814 square feet. Because of potential environmental impacts stemming from the project, the project is subject to an Environmental Impact Report. The project also proposes a modification to the existing Development Agreement for the site. The project is located at 205 N. McCarthy Ranch Boulevard (APNs: 022-56-005 through 009), zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Equity Office. Staff Contact: Sheldon S. Ah Sing (408) 586-3278. PJ # 3223. *(Recommendation: Adopt Resolution No. 08-066 recommending approval of the project, the first amendment of the Development Agreement and certification of the project EIR, subject to conditions of approval.)*

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Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

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## **XI. ADJOURNMENT**

***THE NEXT PLANNING COMMISSION MEETING IS February 25, 2009***

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The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

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### **MILPITAS PLANNING COMMISSION SUBCOMMITTEE**

The Planning Commission Subcommittee consists of two members (currently Gurdev Sandhu-regular member, Larry Ciardella-regular member, Alex Galang - alternate member) of the Planning Commission, who have approval authority for Minor Site Development Permits and other minor project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Building Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. ADMINISTRATIVE PERMIT NO. AD09-0001:** A request for a one hour parade on Los Coches Boulevard as the opening event for a three day special event at the Indian Community Center located at 525 Los Coches Boulevard. (APN: 086-28-052), zoned Industrial Park with 'S' Zone Overlay (MP-S).

Applicant: Sandeep Deokule with Indian Community Center. Staff Contact: Tiffany Brown (408) 586-3283. *(Recommendation: Approve Administrative Permit No. AD09-0001 subject to the conditions of approval.)*

#### KNOW YOUR RIGHTS UNDER THE **OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035

E-mail: [mogaz@ci.milpitas.ca.gov](mailto:mogaz@ci.milpitas.ca.gov)

Phone (408) 586-3040

Fax (408) 586-3030

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*